

**James Madison to John Adams, December 17, 1814.  
Transcription: The Writings of James Madison,  
ed. Gaillard Hunt. New York: G.P. Putnam's Sons,  
1900-1910.**

**TO JOHN ADAMS. MAD. MSS.**

Washington, Decr. 17th 1814

Dear Sir, —Your favor of the 28th Ult<sup>o</sup>. was duly received, though with more delay, than usually attends the mail. I return the interesting letter from your son, with my thanks for the opportunity of perusing it.

I have caused the archives of the Department of State to be searched with an eye to what passed during the negotiation for peace on the subject of the fisheries. The search has not furnished a precise answer to the enquiry of Mr. Adams. It appears from one of your letters referring to the instructions accompanying the commission to make a Treaty of commerce with Great Britain, that the original views of Congress did not carry their Ultimatum, beyond the common right to fish in waters distant three leagues from the British shores. The negotiations therefore, and not the instructions, if no subsequent change of them took place, have the merit of the terms actually obtained. That other instructions, founded on the Resolutions of Congress, issued at subsequent periods cannot be doubted, though as yet they do not

appear. But how far they distinguished between the common use of the sea, and the use, then common also, of the shores, in carrying on the fisheries, I have no recollection.

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The view of the discussions at Ghent presented by the private letters of all our Ministers there, as well as by their official despatches, leaves no doubt of the policy of the British Cabinet, so forcibly illustrated by the letter of Mr. Adams to you.<sup>1</sup> Our Enemy knowing that he has peace in his own hands, speculates on the fortune of events. Should these be unfavorable, he can at any moment, as he supposes, come to our terms. Should they correspond with

1 Extract of a letter from J. Q. Adams to his father, dated Ghent, October 27th, 1814:

“The whole compass of the diplomatic skill employed by the British Government in this negotiation has consisted in consuming time, without coming to any conclusion. Mr. Clay and Mr. Russell arrived at Gottenburg the 11th of April. The negotiations had been proposed by Lord Castlereagh in November; had been acceded to by the President in the beginning of January. The British Government were informed in February of the appointment of American Plenipotentiaries. Their first dilatory proceeding was to defer the appointment of their Commissioners until official notification should be given them, by the American Ministers themselves, that they were at the place of meeting which had been agreed upon. One full month was gained by this. The next device was, to propose the transfer of the negotiation to Ghent, which absorbed six weeks more; and then they left us from the 24th of June to the 6th of August waiting here for the appearance of their Plenipotentiaries.”

On June 27th, 1874, the American Commissioners at Ghent were instructed to abandon the question of impressment as a *sine qua non* in making a treaty of peace. The treaty was signed December 24th, and sent to the Senate February 15th.

his hopes, his demands may be insisted on, or even extended. The point to be decided by our Ministers is, whether during the uncertainty of events, a categorical alternative of immediate peace, or a rupture of the negotiation, would not be preferable to a longer

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acquiescence in the gambling procrastinations of the other party. It may be presumed that they will before this, have pushed the negotiations to this point.

It is very agreeable to find that the superior ability which distinguishes the notes of our Envoys, extorts commendation from the most obdurate of their political Enemies. And we have the further satisfaction to learn that the cause they are pleading, is beginning to overcome the prejudice which misrepresentations had spread over the continent of Europe against it. The British Government is neither inattentive to this approaching revolution in the public opinion there, nor blind to its tendency. If it does not find in it a motive to immediate peace, it will infer the necessity of shortening the war by bringing upon us, the ensuing Campaign, what it will consider as a force not to be resisted by us.

It were to be wished that this consideration had more effect in quickening the preparatory measures of Congress. I am unwilling to say how much distress in every branch of our affairs is the fruit of their tardiness; nor would it be necessary to you, who will discern the extent of the evil, in the symptoms from which it is to be inferred.

I pray you Sir to accept assurances of my distinguished esteem and best regards.